

ATTACHMENT O

PERKINS COIE

700 13th Street, NW
Suite 600
Washington, D.C. 20005-3960

+1.202.654.6200
+1.202.654.6211
PerkinsCoie.com

July 14, 2016

Treasurer & Finance Director
Progressive Priorities PAC

D. +1.202.434.1609
F. +1.202.654.9126

Re: Fraudulent Campaign Solicitations by Progressive Priorities PAC

Dear Mr. [REDACTED]:

We serve as General Counsel to Hillary for America (the “Committee”), the authorized presidential campaign of Secretary Hillary Clinton. It has recently come to the attention of the Committee that Progressive Priorities PAC (“PAC”) is engaged in a massive, nationwide fraud to collect money for itself while claiming to raise money for Secretary Clinton’s campaign in clear violation of 52 U.S.C. § 30124 and 18 U.S.C. § 1343. This unauthorized fundraising effort has caused harm to the Committee, and, if unaddressed, is likely to continue to cause significant additional damage to the Committee. We demand that you immediately cease and desist from making any solicitation that states or implies that any funds that you raise will go to or otherwise benefit Secretary Clinton or the Committee, that there is any relationship between you and Secretary Clinton or the Committee, or that the Committee has in any way authorized or endorsed your activities that in any way use Secretary Clinton’s voice, name, or likeness.

The Committee has received numerous reports of fraudulent robo-calls to individuals located across the country featuring an unauthorized audio recording of Secretary Clinton’s voice and asking individuals to contribute “to elect Hillary for President,” followed by a live operator requesting donations and claiming that all funds will be “sent over to Hillary Clinton,” that “she gets 100% of the proceeds,” or making similar false statements, while in fact, all of the donations are going to the PAC. According to reports we have received from our supporters, these phone calls feature telemarketers, who admit that they are calling on behalf of Progressive Priorities PAC when pressed, but repeatedly request contributions for Secretary Clinton’s campaign. During one call, for example, an operator who claimed to be a supervisor stated that the PAC “is directly contracted by the Hillary Clinton campaign,” that Secretary Clinton’s campaign “provide[s] the list of phone numbers” to the PAC for the purpose of the solicitation, and “the reason they go with us is because we are a secure card center and we handle peoples’ financial information.” In fact, as you well know, the Committee has never authorized the PAC to raise funds on its behalf, contracted with the PAC to perform any type of service, or received funds raised by the PAC. Progressive Priorities PAC is pedaling clear falsehoods in a blatantly illegal

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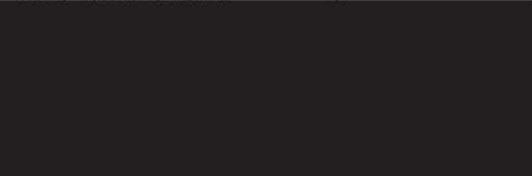
attempt to defraud voters by masquerading as an authorized agent of the Committee and causing significant harm to the Committee on an ongoing basis.

As you are no doubt aware, pursuant to 52 U.S.C. § 30124(b), “[n]o person shall—(1) fraudulently misrepresent the person as speaking, writing, or otherwise acting for or on behalf of any candidate or political party or employee or agent thereof for the purpose of soliciting contributions or donations; or (2) willfully and knowingly participating in or conspire to participate in any plan, scheme, or design to violate paragraph (1).” It seems plain that the PAC is willfully engaged in fraudulently misrepresenting itself to solicit funds in violation of law. Further, the activity constitutes a “scheme or artifice to defraud [] by means of false or fraudulent pretenses, representations, or promises” by wire, in violation of Section 1343 of the federal criminal code.

In addition, by misrepresenting your relationship with the Committee, Progressive Priorities PAC has induced contributions intended for the Committee. This causes financial harm to the Committee, and confuses prospective donors, harming the Committee’s reputation. The false statements also constitute defamation or slander in the form of untruths that are damaging to Secretary Clinton and the Committee, and the unauthorized use of Secretary Clinton’s name and voice to fraudulently solicit funds for your PAC constitutes a false endorsement and violates Secretary Clinton’s right of publicity and personality rights. It appears that your robo-calls are also in violation of the Telephone Consumer Protection Act of 1991, which authorizes private rights of action and provides for very significant monetary penalties on a per-call basis.

In order to protect our supporters from fraud and defend the rights of the Secretary and the Committee, we demand that you immediately cease your fraudulent and illegal solicitations, confirming in writing you have ceased from making such solicitations and will not do so in the future, and that you provide a full accounting of your fundraising activities referring to Secretary Clinton or the Committee to date and all contributions you have received as a result of such solicitations no later than 12:00 P.M. Eastern Time on Monday, July 18, 2016. We have already alerted the Federal Election Commission, Department of Justice and the Federal Bureau of Investigation to your activities. We reserve the right to pursue any and all available legal remedies, and will move aggressively to ensure that your fraud comes to an end if we do not receive a prompt and adequate response.

Very truly yours,

A large black rectangular redaction box covering the signature and name of the sender.

Counsel to Hillary for America